

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

<b>AARON TOBEY,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>Civil Action No. 3:11cv154-HEH</b>
	)	
<b>JANET NAPOLITANO, <i>et al.</i></b>	)	
	)	
<b>Defendants.</b>	)	

**THE COMMISSION DEFENDANTS’ MOTION TO PARTIALLY DISMISS  
COMPLAINT UNDER FED. R. CIV. P. 12(b)(6)**

Pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, Defendants Capital Region Airport Commission (the “Commission”), Victor Williams (“Williams”), and Calvin Vann (“Vann”) (the Commission, Williams and Vann, collectively, the “Commission Defendants”), by counsel, move for the partial dismissal of the Complaint filed by Plaintiff, Aaron Tobey, as more particularly set forth in the accompanying memorandum.

Respectfully Submitted,

CAPITAL REGION AIRPORT COMMISSION,  
VICTOR WILLIAMS, and  
CALVIN VANN

By Counsel

/s/ Belinda D. Jones

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**CERTIFICATE OF SERVICE**

I hereby certify that on the 13th day of May, 2011, the foregoing was  
electronically filed with the Clerk of Court using the CM/ECF system which will send  
notification of such filing to all counsel of record, including:

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